

ORDR

BERNSTEIN AND POISSON

CHRISTOPHER D. BURK, ESQ.

Nevada Bar No.: 8976

320 South Jones Blvd.

Las Vegas, Nevada 89107

(702) 256-4566

Attorneys for Petitioner

DISTRICT COURT

CLARK COUNTY, NEVADA

Michelle Brown, as mother and guardian
of minor Brittany Brown

CASE NO.: 2:13-cv-00635-VCF

Plaintiff,

vs.

Carex Health Products; Carex Health
Products, Inc. and The Original
BedBuddy, Wal Mart Stores, Inc. and
DOE Defendant Name for Bed Buddy
Manufacturer, and DOES 3 through 100;
And ROE CORPORATIONS 101
through 200

Defendant.

ORDER GRANTING PETITIONER'S MINOR COMPROMISE

Petitioner, above named, by and through their attorney of record,
CHRISTOPHER D. BURK ESQ., of the law offices of BERNSTEIN & POISSON,
having moved the Court for the approval of minor's claims pursuant to NRS
41.200 *et .seq.* ; the Court having considered the papers and petition herein; and
after being fully informed in the matter; and finding good cause; the Court
GRANTS said petition and ORDERS as follows:

- 1 1. Funds deposited in the blocked trust at FDIC approved Nevada Financial
2 Institution shall not be liquidated or diminished prior to or after the minor
3 reaching the age of eighteen (18) years without court approval upon
4 showing that the withdrawal is in the best interests of the minor child.
- 5 2. Proof that the settlement funded by Apex Medical Corporation shall not be
6 liquidated or diminished prior to or after the minor reaching the age of
7 eighteen (18) years without court approval upon showing that the
8 withdrawal is in the best interests of the minor child.
- 9 3. Authority to establish the blocked trust account for the benefit of the herein
10 named minor is hereby given to the Petitioner and the law firm of
11 Bernstein & Poisson, or its representative.
- 12 4. Petitioner and Bernstein & Poisson shall cause, within sixty (60) days of
13 the date of this order, proof to be filed with this court that the blocked trust
14 account has been established
- 15 5. A status check before this court is set for January 2, 2014 at the hour of
16 10:00 am to show compliance with this Order. In the event the proof of
17 compliance has been filed with this court, it will not be necessary for the
18 Petitioner or Bernstein & Poisson to attend this status check hearing.
- 19 6. IT IS FURTHER ORDERED that the trustee or petitioner may be ordered
20 by this court to file periodic certified annual reports, should the court deem
21 it appropriate, in order to detail the activities of the blocked trust account
22 during the previous twelve (12) months pursuant to NRS 41.200(5).
- 23 7. IT IS FURTHER ORDERED that Petition, **Michelle Brown**, is hereby
24 allowed to continue to serve as guardian ad litem for the minor child,
25 without bond for the limited purpose of administering the funds of the
26 minor child, as provided herein.
- 27 8. The medical specials are to be paid as follows:
28 a. **Mt. View Pediatrics**-\$0.00
 b. **University Medical Center**-\$ 0.00
 c. **Center Emergency Physicians** -\$ 0.00

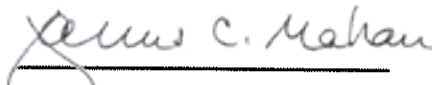
1 9. Attorney's fees are 40% by contract of the Settlement/Total Recovery
2 Bernstein & Poisson; will receive \$7,000.00 in fees and costs of \$658.84
3 from the settlement of \$ 17,500 to minor.

4 10. Medicaid holds a lien for \$135.73

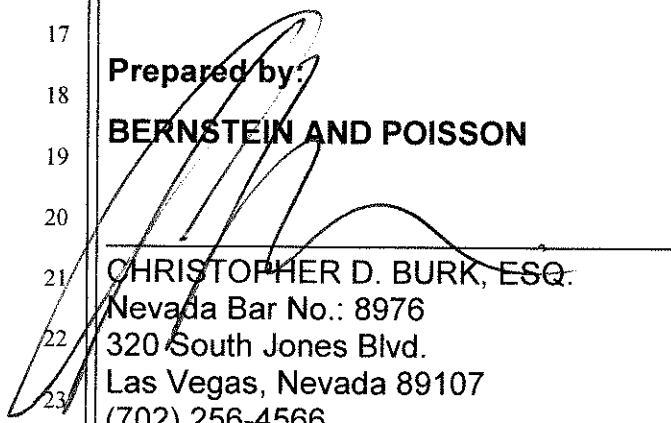
5 Accordingly, THE COURT **HEREBY GRANTS** said petition, the deposit of
6 the minor's settlement funds in the amount of \$9,705.43 into blocked financial
7 account **BANK OF AMERICA, 5950 W. Sahara Avenue, Las Vegas, NV 89146.**
8 **BANK OF AMERICA** is a FDIC approved bank in the State of Nevada. The
9 Court finding said compromise to be in the best interest of said minors pursuant
10 to NRS 41.200 *et. seq.*

11 Attorney Chris Burk, Esq. is authorized by this court to open the account
12 and deposit the funds into the blocked account.

13 DATED October 21, 2013.

14 
15 UNITED STATES DISTRICT
16 JUDGE

17 Prepared by:
18 **BERNSTEIN AND POISSON**

19
20
21 
22 CHRISTOPHER D. BURK, ESQ.
23 Nevada Bar No.: 8976
24 320 South Jones Blvd.
25 Las Vegas, Nevada 89107
26 (702) 256-4566
27 Attorneys for Petitioner
28